

School-Based Law Enforcement

MARK CURTIS WITTIE, *West Texas A&M University*

ABSTRACT: *The following paper explains the implementation of Texas school district police officers and defines why and how school districts have the ability to authorize the policing of their campuses. The paper further describes the selection, training, and deployment of district police officers, as well as, why there is a need for police officers in our schools. The term “criminalization of student conduct” is also defined as the article attempts to explain the opposition’s view of having a police presence in the school system. The goal of this paper is to educate the reader on the need of police services in our public school districts in order to keep our children safe and provide a secure environment that promotes the success of our students.*

Introduction

Policing in schools is a necessary element of the law enforcement profession that has seen a tremendous amount of growth in the last decade. It is estimated there are now 17,000 officers working in school districts nationally (Thurau & Wald, 2009). Several factors are said to have contributed to the rapid expansion. The availability of federal funding such as the community oriented policing services (COPS) program, the rise in active shootings at schools, the implementation of “zero tolerance” policies, and the tough on crime approach toward juvenile offenders have caused the growth (Thurau & Wald, 2009).

The tragic incident at Columbine High School in 1999 put the emphasis of safety and security in the forefront in our schools. In the aftermath, school districts began to see the importance of protecting their staff and students. Although many districts had security programs in place, the emphasis began to switch from mere security to law enforcement. Independent school districts (ISDs), such as Dallas ISD, began to transition their security departments into fully commissioned law enforcement agencies. Other districts developed their police departments from the ground up without having a security department to draw from, and many, such as Dumas ISD Police Department, were developed with funding by the COPS program. These police departments were developed as self-sufficient agencies separate and independent of any municipal or county law enforcement agency.

In Texas, the authority to develop school district police departments comes from the *Texas Education Code*. In 1995, the State added Section 37.081 to the code giving school districts the ability to establish district police departments and allowed the departments to be fully

commissioned and authorized by the Texas Commission of Law Enforcement Officers Standards and Education. Some districts elected to enter into agreements with their local police departments or sheriff’s offices to bring officers from their agencies into the schools. These officers, known as School Resource Officers (SRO) or School Liaison Officers, are employed by the law enforcement agency but are assigned to the school district during the school year.

School district police officers carry out a variety of functions within a school setting such as law enforcer, counselor, and an advisor for school administrators (Thurau & Wald, 2009). Therefore, an officer working within a school district has to possess many characteristics outside of his or her law enforcement background and be willing to perform many other duties in addition to their law enforcement role. Due to this expanded role, there are many benefits to having police officers within our school districts. However, there are also many people and organizations opposed to school based law enforcement. This paper will cover the selection and training of school district officers, the four different theories on how officers should be deployed, the examination of both sides of the debate on whether or not officers are needed in schools, and briefly touch on some of the incidents that have occurred in recent years putting the emphasis on safety and security in our schools.

Selection and Training

The selection and training of school district police officers is an extremely important part of establishing a police presence in school districts. Whether the officers are

members of a district police department or assigned to the schools through an agreement with a local agency, it is important to ensure the officer has the right training, personality and enough law enforcement experience to be effective.

The initial selection process should consist of testing, interviews, and evaluations to insure that the candidate fits the requirements of the position. The selection should be conducted by a committee consisting of department personnel and school administrators. This not only allows the candidates to be evaluated for both their law enforcement ability; but also gives administrators the opportunity to voice their opinion on the candidate's ability to operate in a school environment. The testing and interview should include questions to gain information on the candidate's personality, situational awareness, and ability to apply the law in a school setting. A thorough performance evaluation should also be completed to evaluate the candidate's ability to apply flexibility and adapt to changing situations. The candidate should also be evaluated on their ability to react calmly in stressful situations. Officers that have a tendency to use force rather than logic when placed in a stressful environment should not be considered for the position. Further, a requirement for a set number of years' experience should be implemented into the selection process to insure that the officer has sufficient experience to do his or her job affectively.

According to Clark (2011), Virginia was one of the first states to recognize a need for the specialized training of officers assigned to schools in the area of school based law enforcement. The Virginia Center for School Safety was created in 1999 and given the responsibility for conducting training to officers assigned to Virginia Schools. Virginia currently has officers assigned to 559 of 631 schools. All of these officers have undergone training at the center.

One problem with training officers working in a school setting is that there is no clear model of training and there are no national standards (Clark, 2011). Many small districts do not have the resources to adequately train officers for the specific demands of the assignment. Unfortunately, many officers are placed in schools with no initial training and have to learn on the job. The lack of training can create a multitude of problems. Many of these officers go into the schools without realizing that policing in schools is vastly different from policing in communities. There are many other aspects of the job in schools that officers never encounter on the streets. Dealing with satisfying the law while trying to adhere

to administrative rules and school policies can be difficult. Perhaps the most important aspect of working in a school setting is being able to build a rapport with the students and staff. Being able to be flexible and use officer discretion in matters where a student may be better affected by administrative rather than criminal penalties can be conflicting to an officer who is new to school district policing.

To combat the lack of training of officers working in school districts, the model used by the Virginia Center for School Safety provides a guide useful to any district or other law enforcement agency when implementing school based law enforcement training. According to Steven Clark, author of *The Role of Law Enforcement in schools: The Virginia experience - A practitioner report*, "Today, a typical Virginia SRO training program consists of forty hours of instruction in topics that include legal and liability issues of school based law enforcement" (Clark, 2011, p.93). The curriculum consists of

critical incident planning and response, homeland security for schools, substance abuse and suicide prevention, gang identification and prevention, crime prevention through environmental design, conflict mediation, Internet crime, bullying prevention, law-related education programs, and techniques for dealing with confrontational parents. (Clark, 2011, p.93)

Texas employs a similar program sponsored by Sam Houston State University which is available to any district or other law enforcement agency employing school based law enforcement officers. The program consists of forty hours of training covering many of the same areas as the Virginia program. In addition to training for officers, the Sam Houston State program also allows school administrators to accompany their district police officers to the training so that they have the same knowledge. Allowing administrator and officers to receive the same training is invaluable when it comes to consistency and the ability to work together.

How Should Officers be Deployed in Schools?

There are several theories of how officers should be deployed in our schools. Applying these theories often depends on the size of the district and the number of officers in the district. The four theories covered in this paper were taken from Lisa H. Thureau and Johanna Wald (2009). The deployment strategies were applied to the

SRO system where officers are assigned to a school district by a local law enforcement agency. However, these strategies can easily be applied to and are also used by school district police departments. Thureau and Wald identify the following theories:

School-Based SROs. School based deployment consists of assigning an officer to a particular campus on a permanent basis and usually has no other assignments in the district. A typical day for these officers involves monitoring students in group settings, patrolling the halls and perimeter, and responding to on campus incidents. School based officers usually have a central office located in the administrative section of the building and often have access to the same communication system as the administration to make communication more efficient. School based officers usually are afforded more discretion in enforcing student conduct. Most officers elect to consult with an administrator before detaining or questioning a student. However, officers also said that referring students to a clerk magistrate was often done without consultation and usually had an effective impact on the students while keeping the students out of the more formal aspects of the juvenile system.

School-Based High School SRO and Multi-School SRO assignment approach. The second strategy describes a school based high school SRO while a second group of SROs are assigned to multiple campuses. The high school officer follows the same model described above while the multi-campus officer, usually working in elementary and middle schools take a different approach to their assignment. The multi school officers generally focus on education in a classroom setting and are called to their campuses instead of patrol officers if an incident occurs. Multi-campus officers normally have more interaction with students in a non-incident setting, but the amount of interaction is left up to the discretion and availability of the officer. Multi-campus officers also tend to only file criminal charges on students when all other options have been exhausted and rely heavily on the characteristics of the student's conduct and reports from administrators while the high schools officer's discretion tended to determine whether or not criminal charges were filed.

SRO by Day, Patrol Officer by Night. This strategy uses the SRO in a school-based deployment during the daytime hours and then switched the officer's assignment to typical patrol duties during an evening shift. The SRO and patrol officers tended to share information on juvenile activity and were considered the "go to" officers for anything concerning any juvenile issues in the department. The SRO in this strategy interacts with the students on a daily basis and

is keenly aware of the juvenile activity in the area and generally made little use of the juvenile system when policing the school. Most arrests were made for fighting when the officer was actively involved.

Dedicated School Liaison Officers (Dedicated Call for Service). In the last model, officers were assigned to an area containing high schools, middle schools, and elementary schools. These officers operate from their patrol units on a call for service basis and to perform walk-throughs at their respective schools. Officers working in this model generally have very little time to spend at each school and have little non-incident interaction with the students. The interaction between the officers and the schools usually centers on the administration. The administrators have more control over the outcome of the officer's contacts with students and the officers tended to issue summons and make arrests if there were witnesses to the offence. Officers in this model were unlikely to challenge the wishes of administration and were the least likely to consider diversion programs.

These four models are used by districts nationwide both with the SRO system and with school district police departments. One area school district police department, Dumas ISD, uses the school-based high school and multi-school assignment approach. In their department, the Chief of Police is assigned to the high school while another officer is assigned to the junior high, intermediate school and five elementary schools. Dumas ISD also has a third officer fulfilling a relatively unusual assignment. This officer is actually assigned to Dalhart ISD on a mutual aid agreement. The officer is assigned to accompany Dumas ISD's alternative placement students to the XIT secondary school which is part of Dalhart ISD. Per the agreement, the officer is responsible for policing XIT, as well as, the other campuses in the district. The only other school district with a police department in the area is Highland Park ISD. Their district employs one officer who is responsible for policing all their campuses under the multi-school assignment approach.

The Benefits of Implementing School Policing

The number of incidences of violence in our school systems in recent years answers a resounding yes. In addition to the tragic 1999 incident at Columbine High School, many other incidences have occurred. In *Mass-Shooting Incidents: Planning and Response*, August Vernon lists seven events from 2007 to 2008 where students en-

tered their schools and committed acts of violence. These events are listed below:

April 16, 2007. A 23 year old Virginia Tech student killed two students in a dorm and then killed thirty more an hour later in a classroom building. His suicide brought the death toll to 33 making the shooting rampage the most deadly in U.S. History. Fifteen others were wounded.

November 7, 2007. An 18 year old student in southern Finland shot and killed five boys, two girls, and the female principal at Jokela High School. At least ten others were injured. The gunman shot himself.

February 14, 2008. In DeKalb Illinois, a gunman killed seven students and wounded fifteen others when he opened fire on a classroom at Northern Illinois University, DeKalb. He then killed himself. The gunman was identified as a former graduate student at the university in 2007.

March 6, 2008. Eight people were killed and nine were injured in a shooting in a Jerusalem religious school.

(Vernon, 2010, p. 15)

Although these incidents are some of the most recent, they are not the only occurrences of violence in schools. According to the American School Board Journal, schools are safer since Columbine (American School Board Journal, 2009). In a survey, “Seventy-one percent said schools are safer than ten years ago, 17 percent said about as safe, and 8 percent said were less safe. Four percent said none of the above” (American School Board Journal, 2009). Battling such incidences are not the only benefits of having police officers in our school systems.

The number one priority for any school police officer is to ensure the safety and security of any person while they are on school district property. However, as stated before, the school police officer has many jobs that benefit the district. The mere presence of officers in schools tends to curb discipline problems in our schools. Research shows that police officers in schools have a positive impact on reducing school violence and discipline problems (James, Logan, & Davis, 2011). Student expulsions and suspensions appear to have been affected in a positive way and students report feeling safer at school when an officer is on campus (James, Logan, & Davis, 2011).

To further examine whether or not having an officer on campus affects student behavior, I compared PEIMS discipline reports from Dalhart High School for the 2009–2010 school year with reports from the 2010–2011 school year. In looking at these reports, I

only compared the first three six weeks of the school year. The 2010–2011 school year is the first year for Dalhart ISD to have a police presence in their schools. The discipline reports contain a variety of offences ranging from minor violations of school policy to felony criminal offences that occur off campus. I chose to compare only the offences that could result in criminal charges being filed on the student. The offences I compared are fighting or mutual combat, disruption of class, and rude or profane language or gestures. In 2009–2010 there were five reported fights between students compared to three in 2010–2011 (DISD, 2009, 2010). Four disruptions of class were reported in 2009–2010 compared to two in 2010–2011 and two reports of students using rude or profane language or gestures compared to five in 2010–2011 (DISD, 2009, 2010).

The PEIMS reports showed little difference between the two school years. However, the rise in reported violations in some categories could be due to having the ability to enforce criminal violations with the addition of a police officer in 2010–2011 and not having an officer in previous years. The PEIMS reports also do not reflect the number of officer-student contacts where action was not taken and the affects those contacts had on student behavior. In talking to several administrators from Dalhart ISD, the overwhelming opinion is that having an officer on campus has affected the overall behavior and attitudes of the students. The presence of an officer in the district seems to have improved the educational environment.

Officers also become advisors to school administrators by acting as a point of reference when questions arise in reference to student behavior and the law. Having a good working relationship with school administrators allows the officer to be involved in the decision process in reference to dealing with student behavior. If administrators and officers work together solutions can be found that are in the best interest of the student and have the most impact on his or her behavior.

The report that the officer can develop with the students is one of the most important aspects of the officer’s job. Because of this report, the officer can become an extremely important part of the student’s education. Many times officers find themselves advising students on a number of matters and can be a positive influence on the student’s lives. The daily contact the officer has with the students improves communication and builds trust (James, Logan, & Davis, 2011). When officers are permanently deployed in a school building arrests tend to decrease over time. Many officers say this tendency is

due to the trust and relationships built between the officers, the students, and parents (Thurau & Wald, 2009). The more officers become involved in the daily activities of the students, the more the students begin to trust and respect the officers. Attending school activities, becoming involved in programs and activities with the students and building relationships with the student's families builds the bond between officers and students (Thurau & Wald, 2009). The improved communication and trust allows the students to be more open with the officer; giving the officer a valuable tool when information gathering becomes necessary to diffuse an incident or solve a crime.

School districts have also begun to use officers in the classroom teaching criminal justice related courses to students. Larger districts have made criminal justice courses part of their career prep programs allowing students to obtain various criminal justice certifications for employment after high school.

A relatively new concept involving the positive impact of school district police officers on the students is the involvement of officers on district crisis intervention teams (CIT). The concept of incorporating officer's into CIT was developed by three individuals, Dick James, Joan Logan, and Scott Davis (James, Logan, & Davis, 2011). The intention of the CIT model is to train officers to diffuse and de-escalate violent situations without the use of force. The model proved particularly helpful with mentally and emotionally disturbed students. The model quickly gained popularity and is currently in use in approximately 600 law enforcement agencies nationwide and resulted in the formation of the National Association of School Resource Officers.

The obvious benefits of school based law enforcement are apparent. However, many organizations have expressed an opposition to having officers in our school systems.

Opponents and the Criminalization of Student Conduct

Organizations like the ACLU fear that the presence of police officers in our schools take discipline authority out of the hands of the administrators and places it in the courts. It is becoming much more common for students to be referred to the criminal courts rather than the school administration for offences such as disruption of class or fighting. In the past, incidences such as these were handled administratively and kept in house. Due

to some student's lack of response to school discipline, districts have elected to file criminal cases on students for such violations. A study by Mathew T. Theriot in 2009 looked at the concern that the presence of police in school "criminalizes" student behavior. Although it was expected to reveal that school districts with officers made more arrests and filed more criminal cases than districts that didn't have officers, the results were mixed (Theriot, 2009). The study actually showed that the difference in the number of arrests and charges filed between districts with and without officers was marginal. The study also showed that schools with officers had fewer arrests for assault and weapons charges.

Other opponents also argue that the presence of police in schools are detrimental and encourage the criminalization of student conduct. According Price (2009), police presence in schools must be justified by action causing an increase in the criminalization of violations that would have been previously handled by school administrators. Price goes on to say, "For example, in one Texas school district, 17% of school arrests were for disruptive behavior, and 26% were for disorderly conduct" (p. 549). Criminalization of student conduct is thought to lessen the effectiveness of the arrest process. If the filing of criminal cases for minor offences increases, respect for the arrest process lessens. Price gives the example of "one can imagine a student thinking that if a kindergarten student is shackled in the back of a police cruiser for a temper tantrum, maybe being shackled by the police isn't such a big deal" (Price, 2009, p. 549).

The Texas Appleseed Project published a report in 2010 discussing areas of school based policing seen as detrimental. The report gives data in reference to the increase of ticketing students for class C offences and the arrest of students while at school. School district police officers in Texas are issuing citations and making arrests at an alarmingly high rate, particularly in the large school districts. Some of these citations and arrests involve students as young as six years of age (Texas Appleseed Project, 2010). The report goes on to say that these high numbers of citations and the large numbers of arrests at school lead to higher dropout rates and the school to prison pipeline. Although the intention for the implementation of school based law enforcement is to increase the safety and security of students, staff and visitors, an unintentional affect has been the criminalization of student behavior. Although it is important that school police officers insure the safety and security of our students, the role of officers in our schools should not unintentionally contribute to the school to prison pipeline.

Conclusion

School-based law enforcement is an extremely specific area within our criminal justice system and has a huge impact on our students. Some student's resistance to authority and normal discipline practices has made the use of the criminal justice system more common. Instead of students solving their differences after school, they decide to bring a weapon and take their revenge out on the entire student body making the safety and security of our schools much more important. Recent events, like those listed above, show that students seem

to be more likely to resort to violence at school than in years past.

Although some groups argue that the impact is detrimental, the benefits of having police officers in our schools outweigh the negatives. As long as we have the right officers on our campuses and provide proper training, the negatives can be kept to a minimum.

MARK CURTIS WITTIE holds a BAAS in criminal justice and is the chief of police of Dalhart ISD.

References

- Alan, G. (n.d). Schools unsure of new law. *USA Today*. Retrieved from EBSCOhost.
- Bracy, N. L. (2011). Student perceptions of high-security school environments. *Youth and Society, 43*(1), 365–395. doi:10.1177/0044118X10365082
- Buerger, M. E., & Buerger, G. E. (2010). Those terrible first few minutes: Revisiting active-shooter protocols for school. *FBI Law Enforcement Bulletin, 79*(9), 1–4. Retrieved from EBSCOhost
- Clark, S. (2011). The role of law enforcement in schools: The Virginia experience—A practitioner report. *New Directions for Youth Development, 2011*(129), 89–101. doi:10.1002/yd.389
- Communities rethink D.A.R.E. as police struggle to maintain programs. (2009). *Alcoholism & Drug Abuse Weekly, 21*(10), 1–7. Retrieved from EBSCOhost.
- Dalhart Independent School District. (2009). PEIMS report 2009–2010.
- Dalhart Independent School District (2010) PEIMS report 2010–2011.
- Districts Hold Tight on S. B. 1070. (2010). *District Administration, 46*(9), 60. Retrieved from EBSCOhost.
- James, R.K., Logan, J., & Davis, S. A. (2001) Including school resource officers in school-based crisis intervention: Strengthening student support. *School Psychology International, 32*(2), 210–224. doi:10.1177/0143034311400828
- Parker-Burgard, D. (2009). ACLU says police officers in schools need guidelines. *District Administration, 45*(9), 14. Retrieved from EBSCOhost.
- Pittman, E. (2010). Police departments connect to school district camera feeds to aid incident response. *Education Digest, 76*(3), 62–64. Retrieved from EBSCOhost.
- Price, P. (2009). When is a police officer an officer of the law?: The status of police officers in schools. *Journal of Criminal Law & Criminology, 99*(2), 541–570. Retrieved from EBSCOhost.
- Schchter, R. (2010). Discipline gets the boot. *District Administration, 46*(1), 26–32. Retrieved from EBSCOhost.
- Security and the SRO. (2009). *American School Board Journal, 196*(6), 30–31. Retrieved from EBSCOhost.
- State of Texas 74th Legislature. (1995). *Texas Education Code, ch. 260 Subchapter C. Sec. 37.081*.
- Stone, W. E., & Spencer, D. J. (2010). Using textbooks as ballistic shields in school emergency plans. *International Journal of Police Science and Management, 12*(40), 536–547. doi:10.1350/ijps.2010.12.4.203
- Theriot, M. T. (2009). School resource officers and the criminalization of student behavior. *Journal of Criminal Justice, 37*(3), 280–287. doi:10.1016/j.jcrimjus.2009.04.008
- Thurau, L. H., & Wald, J. (2009). Controlling partners: When law enforcement meets discipline in public schools. *New York Law School Law Review, 54*(4), 977–1020. Retrieved from EBSCOhost.
- Vernon, A. (2010). Mass-shooting incidents: Planning and response. *Fire Engineering, 163*(9), 14–16. Retrieved from EBSCOhost.
- Walsh, M. (2011). High court weighs police-in-schools case. *Education Week, 30*(23), 17. Retrieved from EBSCOhost.